



**MINUTES
CITY COUNCIL MEETING
September 6, 2022**

CALL TO ORDER

The meeting was called to order at 6:35 pm.

Present: Mayor: Charlie Miner; Council: Deirdre Kvale, Mike Feldmann, Jahn Dyvik, and Gina Joyce

Staff Present: City Administrator: Scott Weske; Fire Chief: James Van Eyll; and City Clerk: Jeanette Moeller

Absent: None

PLEDGE OF ALLEGIANCE

MAYOR'S COMMENTS – LONG LAKE NEWS, MEETING REVIEW AND UPDATES

Mayor Miner offered the following comments and updates:

The City Council met in a work session prior to the regular meeting at which the Council discussed the proposed 2023 budget and levy.

He also reported that there are three major development projects happening in the City simultaneously, and reflected that he appreciated residents having patience with these projects while they are underway.

Lastly, Mayor Miner expressed gratitude to Council member Dyvik for serving as acting Mayor during the last Council meeting and explained that he had been absent because he was celebrating his 25th wedding anniversary with this family.

APPROVE AGENDA

A motion was made by Miner, second by Dyvik, to approve the agenda as presented. Ayes: all.

CONSENT AGENDA

The Consent Agenda consisted of:

- A. Approve Minutes of August 16, 2022 City Council Meeting
- B. Receive Unofficial Draft Minutes of August 16, 2022 Economic Development Authority Meeting
- C. Approve Vendor Claims and Payroll
- D. Adopt Resolution No. 2022- 43 Conditionally Appointing Samuel Paullson to the Position of Paid On-Call Firefighter for the City of Long Lake Fire Department
- E. Adopt Resolution No. 2022-42 Approving Issuance of Special Event Permit #2022-13 for the Birch's on the Lake Fun Run 5K and 10K to be held on September 18, 2022
- F. Approve Issuance of a 2022 Residential Refuse Hauler License to Curbside Waste, Inc.

Council member Kvale sought details surrounding an item on the check register related to 'lease termination'.

City Clerk Moeller explained that the City had discontinued service with Neopost for a leased mailing meter and had switched to another provider, American Mailing Machines. She noted that moving forward, leasing equipment from the new vendor will cost less than the Neopost contract.

Council member Joyce inquired about the new refuse hauler license under Consent Agenda Item F and asked if the City was expecting to see comparable rates from them.

Moeller replied that although she did not have the rate schedule for the other two haulers in hand, she felt confident the rates from Curbside Waste, Inc. were likely to be lower than what residents are currently paying with the other two licensed haulers. She explained that Curbside Waste has been doing a marketing push in the area and residents have been calling frequently requesting the City take action to make a third refuse hauler option available for them.

A motion was made by Dyvik, second by Feldmann, to approve the Consent Agenda, as presented. Ayes: all.

OPEN CORRESPONDENCE

No one was in attendance to address the City Council during Open Correspondence.

BUSINESS ITEMS

Updates and Discussion Regarding Fire Department Matters

Mayor Miner brought the Council's attention to the document entitled '*Orono Fire Negotiation Team Key Points*', which was distributed as a handout at the meeting. He noted that the document had been presented to the Orono City Council at their meeting on August 22, 2022. He reported that he and Council member Dyvik have been continuing to meet with Orono Council members Seals and Johnson over the last few months surrounding the various Fire Department issues. He explained that the information on the handout represented tentative areas of agreement that the Long Lake and Orono negotiating representatives have tentatively agreed to and put into writing in order to seek input from both full Councils. He shared his belief that both sides will need to be willing to engage in some give and take in order for an arrangement to come to fruition. He began providing an overview of the items listed on the negotiation document.

Under the proposed negotiation points regarding building ownership, Council member Kvale asked what would happen if there was a termination, and if that would mean the two cities would own things 50/50.

Council member Dyvik stated that they had not gotten into that level of detail in their discussions as of yet, but his initial thought would be to establish that neither City has first rights to facilities and the cities have to work it out between them or sell.

Council member Joyce questioned if, Orono owns and maintains Station #2, whether there would be any appetite for Long Lake to own and maintain Station #1 by themselves.

Mayor Miner responded that while Long Lake has that appetite, he did not think Orono would find that favorable. He continued his review of the items listed on the negotiating document.

Council member Kvale asked whether Medina or Minnetonka Beach have been at the table during the ongoing discussions.

Mayor Miner clarified that currently their focus has been on just trying to work out what they can between Long Lake and Orono.

Council member Dyvik indicated that interestingly, through this process they had revisited the draft agreement from 2017 which Medina had been heavily involved in drafting, and the negotiation points currently being discussed draw heavily from that draft agreement. He stated that, at the time, that draft agreement has been rejected by Orono, but was approved by Long Lake and Medina. He noted that part of the discussions are around the creation of a Fire Board, which in his opinion, would be an authoritative board and not an advisory board.

Council member Joyce completely agreed with the Fire Board concept and agreed that it should have authority, but pointed out that the key points state that contracted cities will have input but no voting rights.

Mayor Miner commented that there had been discussions about giving cities the choice of being part of a Joint Powers Agreement or participating as a contracted city, so he thinks that detail could change.

Council member Kvale reflected that under the Fire Board structure as described in the key points, it looks like under the proposed approach Long Lake would be losing control and would have very little power because Orono would have three votes.

Council member Dyvik added that one thing that has come up frequently in the negotiation discussions is that Orono pays 85% of expenses. He noted that the overall voting structure approach presented on the key points document was difficult for Orono to accept because it didn't give them more than 50% control.

Council member Kvale observed that it generally appears as though Orono would be taking over control.

Council member Dyvik clarified that they would have the largest single representation because they are the largest city, but at the same time would not have the majority, which is what he was trying to achieve. He noted that there had been the thought that it would help if there was another larger city involved such as Mound or Wayzata.

Council member Joyce voiced that she felt the involvement of another city would be ideal and asked if there was an update on the conversations with Wayzata.

Mayor Miner mentioned that Wayzata is kind of waiting to see how the discussions go with Orono.

Council member Kvale commented that she understands what is listed in the document is intended to be conceptual, but she would caution against Long Lake giving up control.

Moeller observed that it may be noteworthy that if there is a Fire Board governing the department and the department still operates under the 'Long Lake Fire Department' name, anything that happens can potentially reflect on the City of Long Lake because the department would continue to bear the City's name regardless of governance.

Council member Dyvik noted that under the Excelsior Fire Board structure, the City of Excelsior only has one vote, the same as the other member cities.

Council member Kvale was supportive of the idea of each city having one vote.

Moeller agreed that it would be an interesting concept of equal representation rather than scaled representation, but anticipated that the idea may be a 'no go' conversation with Orono.

Mayor Miner added that they can do some research and look into the various voting formulas that exist in other fire districts.

The Council discussed the current contract and how decisions for capital expenses are made.

Council member Kvale indicated that it appears as though there may be issues with budgeting and suggested that perhaps there could be a formula similar to the current contract, where if two of the cities agree they could force the third city to participate; but in terms of operations, each city could have an equal vote. She explained that her thought process is that if, for example, there was a personnel issue then those on the Fire Board should have equal representation and an equal vote on that issue. She recommended that there be some type of hybrid voting system for the different types of issues.

Moeller added that voting could work similar to action on planning items where some applications need a super majority to approve and others just require a majority. She stated that they have tried to avoid structuring boards with an even number of members to prevent the likelihood of tie scenarios.

Council member Feldmann commented that he had watched the Orono City Council meeting and felt that this negotiation document is probably not the end answer, but it does feel like it is moving in a positive direction.

The Council discussed the administration services listed in the key points document, and the ongoing discussions with Orono about the Fire Board being advisory versus authoritative. They discussed the possibility of a more equitable solution being hiring a full-time administrative assistant who can handle most of the administrative duties for the Fire Department versus those duties being provided by solely Orono staff. They discussed opportunities for additional duties that Fire Chief Van Eyll could take on if he had a full-time assistant, such as implementing fire inspections; the negotiation document points relating to equipment purchases/ownership and various formulas that can be used; and revisited the current contract and the recent attempt by Orono to purchase equipment outside of the contract. The Council discussed appointing Council members or City Administrators from each city to serve as Fire Board members. Council members also commented on the negotiation document's suggested points regarding the Fire Relief Fund and the formula for allocating costs between member cities.

Mayor Miner noted that a future fire services meeting is coming up and the guest speakers will be from the Excelsior Fire District.

Council members asked that the next future fire services meeting be recorded and an audio file shared with all members so they can hear what was discussed. They discussed the possible turnover in the make-up of the Orono Council with the upcoming election and how that may change the negotiations.

Council member Joyce asked if Wayzata would be in attendance at the upcoming future fire services meeting.

Mayor Miner confirmed that Wayzata would be attending that meeting.

Council member Dyvik reported that the next negotiating team meeting is scheduled for September 13, 2022.

Mayor Miner thanked the Council for their feedback on the various items on the negotiation document and indicated that they would bring feedback received to the negotiating meeting next week.

Council member Dyvik asked Fire Chief Van Eyll to weigh in on the possible purchase of a used ladder truck from Coon Rapids.

Fire Chief Van Eyll explained that Coon Rapids is on a different rotation for their equipment and they currently have a 2009 ladder truck listed for sale at around \$350,000. LLFD representatives had gone out to take a look at the vehicle and found it to be in really good condition. He noted that staff is waiting for some more information on costs for equipping and refurbishment items, such as paint, so they can determine what the overall total price would be before making a decision whether to recommend further consideration of a vehicle purchase.

OTHER BUSINESS

Pavement Improvement Project - Council member Kvale extended her appreciation for the work the City has done on the newly paved roadways in the Pavement Improvement Project scope because the roads are looking really good.

Thanks to Fire Negotiation Team - Council member Feldmann thanked Mayor Miner and Council member Dyvik for their work related to the Fire Department negotiations, because he knows that the commitment has taken a lot of their time.

Long Lake Waters Association Update - Council member Dyvik asked if there was going to be a presentation from the Long Lake Waters Association at a future Council meeting. Council member Joyce confirmed that they will be appearing at the next Council meeting and will give an update on the carp removal efforts.

Replanting Trees Along Wayzata Boulevard W - Council member Dyvik questioned when the trees to be removed from the Brown Road N corner will be replanted to replace dead trees along Wayzata Boulevard W. Weske informed Council that Public Works Director Diercks had been out of the office last week, but he believed that Diercks would be looking at moving forward with tree removal and replanting soon.

August 23 Planning Commission Meeting - Council member Dyvik reported that he and Council member Feldmann had both attended the recent Planning Commission meeting. Council member Feldmann shared that there had been some contention expressed at the meeting surrounding the colors included in an updated Village Design Worksheet under review for The Borough project. Council member Dyvik noted that the architect felt the updated plans were better than what had been previously approved, but some members of the Planning Commission felt that the plans incorporated four colors instead of the maximum of three permitted by the Village Design Guidelines. He overviewed some of the discussion that had taken place at the Planning Commission meeting related to the contrast of the color scheme proposed. Moeller added that the applicant will be returning to the September 13, 2022 Planning Commission meeting for consideration of updated Village Design Worksheet approval. Council member Joyce asked if the Council could see what had been presented. Council member Feldmann commented that there had also been quite a bit of discussion about whether the Village Design Guidelines were just 'guidelines' or if they were supposed to be strict rules.

Highway 12 Safety Coalition - Mayor Miner stated that he had attended a Highway 12 Safety Coalition meeting last week, and Highway 12 west of Maple Plain will be reopening in about two weeks.

Memorial Remembering Wayzata Police Officer Bill Mathews – Mayor Miner indicated that the five-year anniversary of the passing of Wayzata Police Officer Bill Mathews is coming up, and there will be a memorial service held on September 8, 2022 at 10:00 am which he plans to attend.

Upcoming Park Board Meeting - Council member Joyce questioned whether there was going to be a Park Board meeting coming up. Moeller noted that she will be sending out information and notices for the upcoming Park Board meeting which will be held Monday, September 12 at Hardin Park. Council member Joyce confirmed that the holiday tree lighting discussion would be on the agenda.

Bus Stop Advisory - Van Eyll reminded everyone to make sure they are watching for kids at bus stops again with the start of school for the year.

LLFD Updates – Van Eyll reported that the Long Lake Fire Department will once again be present at home Orono High School football games. He advised that he will be attending a conference on September 19 through 21 for the Association of Minnesota Emergency Managers. He stated that the Slow Burn Brigade (SBB) is looking at taking over the Safe Trick or Treating event that the Long Lake Area Chamber of Commerce used to offer, which has been scheduled for October 29, 2022. He announced that the annual Fire Prevention Open House has also been scheduled to be held at Station 1 on October 3, 2022.

ADJOURN

Hearing no objection, Mayor Miner adjourned the meeting by general consent at 8:20 pm.

Respectfully submitted,

Scott Weske
City Administrator